

IN THE DISTRICT COURT OF THE UNITED STATES
DISTRICT OF SOUTH CAROLINA
BEAUFORT DIVISION

UNITED STATES OF AMERICA

vs.

LEONARDO RUBIO

) CRIMINAL NO.: 9:21-cr-499
)

) 18 U.S.C. § 2252A(a)(5)(B)
)

) 18 U.S.C. § 2252A(b)(2)
)

) 18 U.S.C. § 2253
)

) 28 U.S.C. § 2461(c)
)

) INDICTMENT
)
)
)

COUNT 1

(Possession of Child Pornography Involving a Prepubescent Minor)

THE GRAND JURY CHARGES:

On or about April 13, 2021, in the District of South Carolina, the defendant, LEONARDO RUBIO, did knowingly possess material that contained one or more images of child pornography, as defined in Title 18, United States Code, Section 2256(8), that involved a prepubescent minor, that had been mailed, shipped and transported in interstate and foreign commerce by any means, including by computer and the internet;

In violation of Title 18, United States Code, Section 2252A(a)(5)(B) and 2252A(b)(2).

FORFEITURE

POSSESSION OF CHILD PORNOGRAPHY:

Upon conviction for violation of Title 18, United States Code, Section 2252A, as charged in this Indictment, the Defendant, LEONARDO RUBIO, shall forfeit to the United States his interest in

- i. any visual depiction described in sections 2251, 2251A, 2252 or 2252A of chapter 110 of the United States Code, or any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped or received in violation of chapter 110 of the United States Code;
- ii. any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from such offense and;
- iii. any property, real or personal, used or intended to be used to commit or to promote the commission of such offense or any property traceable to such property.

PROPERTY:

The property subject to forfeiture pursuant to Title 18, United States Code, Section 2253 and Title 28, United States Code, Section 2461(c), includes, but is not limited to, the following:

Proceeds/Forfeiture Judgment:

A sum of money equal to all proceeds the Defendant obtained, directly or indirectly, from the offense charged in this Indictment, and all interest and proceeds traceable thereto, and such sum that equals all property derived from or traceable to his violation of Title 18.

SUBSTITUTE ASSETS:

If any of the property described above, as a result of any act or omission of the Defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), as incorporated by 18 U.S.C. § 982(b)(1) to seek forfeiture of any other property of the Defendant up to an amount equivalent to the value of the above-described forfeitable property.

All pursuant to Title 18, United States Code, Section 2253 and Title 28, United States Code, Section 2461(c).

A True BILL

FOREPERSON

M. Rhett Dehart
M. RHETT DEHART (AES)
ACTING UNITED STATES ATTORNEY